Montana Energy Advisory Council

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# MEAC

newsletter

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STATE DOCUMENTS

## REGIONAL ENERGY POLICY OFFICE

Progress has been made toward creation of a Western Governors' Energy Policy Office, mentioned in an earlier issue of this newsletter.

The governors of 11 western states (Arizona, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah, Wyoming) have adopted articles of incorporation and bylaws for an organization now to be known as the Western Governors' Regional Energy Policy Office, Ltd. The organization is to be in existence for ten years and is to address the following purposes:

1. To foster interaction and cooperation among the participating states on energy issues.

2. To foster enunciation of common problems and policies of the participating states.

3. To encourage the exercise of the full authority of the states in developing policies, programs, standards, criteria, methods, and processes for dealing with prospective western energy development.

The governors also have prepared a proposal to develop a staff to respond to the needs of their organization. The proposal details a work plan for accomplishment of each of the major purposes of the organization. The proposal also calls for a staff of eight professionals to include a Washington, D.C., advisor-coordinator, and three clerical staff. The proposal contains a budget reflecting a maximum one-year expenditure of $367,500. Funds have been requested from the Four Corners Regional Commission and the Old West Regional Commission.

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# NATIONAL GOVERNORS' CONFERENCE ISSUES ENERGY POLICY STATEMENT

Late in February, the National Governors' Conference issued policy statements relating to (1) National Energy Policy; (2) Coal; and (3) Outer Continental Shelf Energy Resources. The policy statements were presented to the Energy Subcommittee of the House Committee on Interstate and Foreign Commerce by Governor Salmon of Vermont.

The gist of Governor Salmon's statement is as follows:

The nation's governors are convinced that no concerted and comprehensive national effort has been made to reduce United States energy consumption through aggressive conservation. The governors added their conviction that neither this nation nor any other will ever be in a position to squander fuels again. In contrast, the governors spoke of strong state efforts to develop energy conservation programs and to join equitable national programs.

The governors took strong exception to the many facets of the White House Omnibus Energy Bill which involve federal preemption of state responsibilities. The governors stated that the states have demonstrated capability, innovation and responsibility in meeting the energy crisis. In concluding their statement, the governors called for state government representation during negotiations between the President and the Congress, and for a unified national effort in resolution of energy problems.

The essential features of the National Governors' Conference policy statements are as follows:

(1) National Energy Policy: "A conservation program of massive proportions must be the central focus of our Nation's short-range energy management program." The statement indicates that such a program does not yet exist, and calls for:

(a) Accelerated and stronger standards for automobiles.

(b) More vigorous enforcement of the 55 mph speed limit.

(c) Stronger mass transit programs.

(d) Tax and other incentives for conservation actions.

(e) Better and more intensive educational efforts on a national scale.

(f) Accelerated state energy management programs, with federal support.

(2) Policy Position on Coal: The governors called for:

(a) The development of a comprehensive coal program that will protect the physical, social and economic environment of the producing region.

(b) The perfection of coal desulfurization technologies.

(c) Tax credits to stimulate industry to convert to coal use, and to aid states lacking adequate coal transport facilities.

(d) More extensive research and development programs and funding.

(e) Environmental protection, to include considerable attention to surface and subsurface reclamation.

(f) Assurance that the costs of development will be borne by the ultimate users of coal-derived energy.

(g) Assurance that state laws will not be preempted by federal laws, rules or regulations.

(3) Policy on OCS Energy Resources: The governors asked for:

(a) Assurance that OCS development is truly necessary, in light of the possibilities of energy conservation, and further assurance that any OCS development will be developed in partnership with the states.

(b) Management of OCS regions to assure long-term productivity and fair return to the public.

(c) Leasing of OCS areas only after development potential has been explored and specific, rational plans have been developed.

(d) Strict observation of the requirements of the National Environmental Protection Act.

(e) Assurance that some on-site values will take precedence over energy development, and be held inviolate.

(f) State review, comment and approval of development plans.

(g) Assurance of better federal diligence requirements and rates of return for leased areas.

(h) More state involvement, with federal funding assistance.

(i) Provision of federal impact funds.

(j) Accountability from the nation and industry in the event of environmental disasters.

## S. 7: SURFACE MINING CONTROL AND RECLAMATION ACT OF 1975

The Senate of the United States recently passed Senate Bill 7, the Surface Mining Control and Reclamation Act of 1975, by 82 affirmative votes. Among the sections that will be of interest to local and county government officials and the public are Sections 401 and 402 of Title IV of the bill.

Section 401 establishes a trust fund, to be known as the Abandoned Mine Reclamation Fund, which shall be administered by the Secretary of the Interior. The fund will consist of monies derived from the sale, lease or rental of reclaimed lands, land use charges and reclamation fees. The funds are to be used for acquisition and reclamation activities and for administration of the fund. In addition, coal mine operators are to pay the Secretary of the Interior a reclamation fee of thirty-five cents (35¢) per ton for surface mined coal and twenty-five (25¢) per ton of coal produced by underground mining, or 10 percent of mine value of the coal, whichever is less. Allocation of expenditures from the fund is to reflect both the area from which the revenue was derived and program needs. Fifty percent of the funds collected annually in any state or Indian reservation are to be spent in that state or Indian reservation, although

funds still not spent within three years of their collection are to be available for expenditure in any area.

Section 402 states the objectives for obligation of the fund. These are, in priority order:

"a) the protection of health or safety of the public;

b) protection of the environment from continued degradation and the conservation of land and water resources;

c) the protection, construction, or enhancement of public facilities such as utilities, roads, recreation and conservation facilities and their use;

d) the improvement of lands and water to a suitable condition useful in the economic and social development of the area affected; and

e) research and demonstration projects relating to the development of surface mining reclamation and water quality control program methods and techniques in all areas of the United States."

## FUEL ALLOCATION OFFICE REPORT

The Fuel Allocation Office has informed us of a new conservation program of the Office of Energy Conservation and Environment of the Federal Energy Administration. The program aims at reducing energy consumption within the commercial, household and industrial sectors. This is to be accomplished through voluntary reduction of energy use for indoor lighting and heating and building operations, in the initial stages of the program.

The Fuel Allocation Office recently participated in the introduction of the program in Montana. Meetings to discuss the program were held in Billings, Great Falls and Helena during the first week in March. The program was well received by representatives of state and local government, school administrators, operators of motels and shopping centers, the communications media and the Department of Defense.

# PUBLICATIONS AVAILABLE FROM HUMAN RESOURCES DIVISION

The Human Resources Division of the Department of Intergovernmental Relations has recently completed two publications which should be of interest to legislators, government officials and the public at large.

The first of these publications, Constituency Profiles, provides detailed data on the constituents, and their living conditions, of each single-member legislative district. Such demographic data as age and sex distributions of district populations, family structure, number of native Americans, housing conditions, and the incidence of poverty are presented. Each Constituency Profile is 12 pages in length -- a complete set is 1,800 pages long.

The second publication, entitled "District Situation Statements", contains a description of each of 12 state planning districts in terms of eight variables: population, incidence of poverty, housing conditions, health and health care, educational opportunities and level of educational attainment, employment, the district economy and welfare. The "Statements" are being used to plan future efforts to ameliorate undesirable conditions in each planning district.

Copies of both publications are available from:

Human Resources Division
Intergovernmental Relations Dept.
1424 Ninth Avenue
Helena, Montana 59601
(Phone: 449-3420)